

City of Milwaukee  
Department of Administration – Business Operations Division – Procurement Services Section

**INVITATION TO BID #13528  
FOR  
POLICE UNIFORMS**

**PLEASE COMPLETE**



Vendor Company Name:	Purchasing Agent:	Karen Jeffries, CPPB
	Phone:	(414) 286-3612
Address:	E-Mail:	<a href="mailto:kdjeffr@milwaukee.gov">kdjeffr@milwaukee.gov</a>
	Bid Closing Date:	<b>March 31, 2015</b>
	Bid Closing Time:	<b>2:00 P.M. CST</b>

<b>Ship to Address:</b>  <b>Police 1TA- Training Academy – 331-1TA 6680 North Teutonia Avenue Milwaukee, WI 53209</b>	<b>Bill to Address:</b>  <b>Police Administration – 331-ADMIN 749 West State Street, Room 714 Milwaukee, WI 53233</b>
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**IMPORTANT:** Bids must be submitted in accordance with the “Bid Submittal” section of this solicitation. The email address for submitting bids is **procurement.services@milwaukee.gov**. Bids submitted via email directly to the Purchasing Agent will be rejected.

**Bid Information**

**ONLINE ORDERING IS A REQUIREMENT!!!**

Vendor Contract for Police Uniform Trousers, Uniform Shirts and Ballistic Vest Outer Carriers for a three year period from the date of contract award, with the option to extend for three (3) additional one-year periods. The anticipated commencement date is May 1, 2015.

Note: Sizes and quantities to be determined at time of order. All quantities listed in the bid are estimates only and do not guarantee the amount that will actually be purchased.

All pricing quoted in this bid for individual uniform items must be the same for all sizes listed in the corresponding specification regardless of the size. If special sizes are required beyond those listed in the specification, the vendor will work with the Department to determine a cost prior to ordering.

**Additional Vendor Qualifications:**

A. Must have **Tailor** on site

\_\_\_\_\_ Comply      \_\_\_\_\_ Do Not Comply

B. **Minor Alterations** to be completed within **30 minutes** or less

\_\_\_\_\_ Comply      \_\_\_\_\_ Do Not Comply

C. **Online Ordering** is required

\_\_\_\_\_ Comply    \_\_\_\_\_ Do Not Comply

D. **Alteration and Store** must be located within a **15 mile radius** of Milwaukee's City

Hall, 200 E. Wells Street, Milwaukee, WI 53202. **This location must be in operation at the time the bid is due.**

**Please provide the address of your facility below:**

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**Award Statement**

Award will be made by line item or in total to the lowest responsive and responsible bidder complying with the bid specifications and delivery requirements, whichever is in the best interests of the City. Bidders must quote all items listed on the **Bid No. 13528 Pricing Sheet** to be eligible for an award.

The low bidder shall be determined by multiplying the quoted unit price by the estimated quantity for each line item to obtain the grand total.

If a Local Business Enterprise (LBE) is a responsive and responsible bidder, the LBE shall be awarded the contract provided its bid does not exceed the lowest bid by more than 5% and the difference does not exceed \$25,000.

Contracts shall be awarded to the lowest responsible bidder who qualifies for the City of Milwaukee-Made, Milwaukee County-Made or American-Made program (Ordinance 310-18.9) if:

- The bidder submits an affidavit with their bid indicating they meet the requirements of the Ordinance, and
- The bid does not exceed the lowest bid by more than 12% or \$25,000.

Any bidder proposing to supply goods under Ordinance 310-18.9 shall not also receive the benefit of the bid award provided under the Local Business Enterprise program. If a Milwaukee-made good is not available, the city shall then purchase a Milwaukee county-made good, provided the purchase does not increase the cost by more than 12% or \$25,000. If a Milwaukee-made or Milwaukee county-made good is not available, the city shall then purchase an American-made good, provided the purchase does not increase the cost by more than 12% or \$25,000.

**Tie Bids**

The Procurement Services Section may determine the award of a tie bid using a method of chance. Tie bids are defined as all things being equal, such as price, quality, services, etc.

**Delivery Requirements**

The initial delivery of items is required within 90 calendar days after receipt of an order. All subsequent orders are required no later than 30 calendar days after receipt of order.

Will you comply with these requirements?

☐ Yes ☐ No

*If you cannot meet the above delivery requirement, your bid will be considered non-responsive!*

All goods must be delivered FOB destination.

Fuel and/or shipping surcharges are not allowed and will not be paid by the City of Milwaukee. If there is a freight increase prior to delivery of the product, the additional increase must be at the expense of the bidder/contractor.

**Contact Person(s)/Questions**

Any questions, clarifications, etc. must be directed ***in writing*** to the purchasing agent listed on the first page of this bid at least five working days prior to the bid closing date on **March 24, 2015**. Requests received after **March 24, 2015** will not be considered.

Bidders are specifically directed not to contact any City of Milwaukee staff other than the Purchasing Agent for meetings, conferences, or technical discussions related to this bid. Unauthorized contact of any City Department employee is a cause for rejection of the bid. Any additional information or clarifications provided to one bidder will be provided to all bidders in the form of an addendum posted to the City's web site (bids pending page).

Contact person for order placement:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
E-Mail: \_\_\_\_\_ Fax: \_\_\_\_\_

Contact person for signature of contract:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
E-Mail: \_\_\_\_\_ Fax: \_\_\_\_\_

**Bid Submittal:**

**IMPORTANT:** Bids must be submitted in accordance with this section of this solicitation. The email address for submitting bids is **procurement.services@milwaukee.gov**. Bids submitted via email directly to the Purchasing Agent ***will be rejected***. All bids must be received no later than the closing date and time listed on the first page. All bids received after the specified closing date and time will be rejected.

**Failure to submit the bid in the manner described herein can result in bid rejection.**

- A. **Invitation:** Sealed bids for furnishing supplies, equipment, work, material, labor, services, or material and labor combined as specified below must be received in the Department of Administration, Business Operations Division, Procurement Services Section, Room 601, City Hall, 200 East Wells Street, Milwaukee, WI 53202, no later than the closing date and time listed on the first page of this bid. All bids received after the specified closing date and time will be rejected.

All formal bids will be opened and read publicly on the specified closing date at 2:30 pm in Room B-1 (Training Room), in the lower level of City Hall, 200 East Wells Street, Milwaukee, WI.

- B. **Form and Manner of Bid:** The email address for submitting bids is **procurement.services@milwaukee.gov**. Bidders who choose to use e-mail to transmit bids do so at their own risk. The City cannot and does not

guarantee that e-mailed bids are received. E-mailed bids must be received in their entirety before the bid closing time.

Electronic submissions must include a binding signature page that is complete and fully signed (electronic signatures are acceptable). If requested, an original signed copy of the electronically submitted bid must be received Procurement Services within four (4) business days. Failure to respond in four (4) business days may result in bid rejection.

Hard copies of bids must be sealed and addressed to the Business Operations Division, Procurement Services Section, Room 601, City Hall, 200 E. Wells Street, Milwaukee, WI 53202. Your bid envelope must be plainly marked with the following information:

- Bid Number
- Bid Closing Date
- Bid Closing Time
- Commodity/Service being bid

Any bid received in an envelope not properly and clearly marked as specified above may result in the bid being rejected.

Bidders wishing to hand deliver their bid may bring their bid response and have it date/time stamped in the following location:

Department of Administration  
200 E. Wells Street, Room 606  
Milwaukee, WI 53202

C. Plans and/or Specifications: City of Milwaukee Specification No. 6-D-17 dated 2/13/2015, Boilerplate Specification No. 6-D-17 dated 2/13/2015 and Bid No.13528 Pricing Sheet.

D. Bid Deposit or Bid Bond Required: None

E. Performance Bond Required: None

**Bid Addenda**

Any changes made as a result of a written request will be issued via a bid addendum, and, if necessary, an extension will be made to the bid closing date. Any addenda will be posted to the City of Milwaukee Procurement Services website ([www.city.milwaukee.gov](http://www.city.milwaukee.gov) > Directory > Procurement Services (Purchasing) > Contract Opportunities > Current Bid Opportunities). Bidders are responsible for checking this website for any future addenda, etc., prior to the bid closing date. All addenda must be signed and returned by the bid closing date and time. Bidders who do not return the addenda may have their bid rejected. Electronic signatures are acceptable. If you are unable to access the internet, contact Procurement Services at 414-286-3501 to obtain a hard copy.

**Americans With Disabilities Act**

Bidder agrees that they will comply with all applicable requirements of the Americans with Disability Act of 1990, 42 U.S.C. 12101, et seq.

**Will you comply with these requirements?**

☐ Yes ☐ No

*Failure to comply with this requirement may result in bid rejection.*

**SBE Requirements**

Has your business been certified as a Small Business Enterprise (SBE) by the City of Milwaukee's Office of Small Business Development?

☐ Yes ☐ No

This bid does not require a specific percent of mandatory Small Business Enterprise (SBE) participation. However, the City strongly encourages the use of certified City of Milwaukee SBE firms for any supplementary services attendant to the goods or services provided hereunder. Use of SBE firms whenever possible throughout the course of this engagement for such supplementary services is strongly encouraged by the City, but is not a requirement for submitting a bid, unless otherwise specified. Information regarding the Office of Small Business Development (OSBD) program can be obtained from:

Office of Small Business Development  
City of Milwaukee  
200 E. Wells Street, Room 606  
Milwaukee, WI 53202  
414-286-5553

Was your business previously certified with the former City of Milwaukee Emerging Business Enterprise (EBE) program?

☐ Yes ☐ No

If you are interested in the certification process for your business, please contact the Office of Small Business Development (OSBD) for more information at 414-286-5553.

**Ethical Purchasing for Apparel and Servicing of Apparel Items:**

City of Milwaukee Code of Ordinances 310-17 provides that all commodities purchased by the City of Milwaukee are purchased from contractors who:

- Comply with all applicable local, state, and national laws,
- Comply with the principles of the fundamental conventions of the International Labor Organization regarding forced labor, child labor and freedom of association,
- Provide a safe workplace for their employees,
- Provide a healthy workplace for their employees,
- Are non-discriminatory in the work environment,
- Compensate their employees with non-poverty wages,
- Do not violate workers' rights,
- Terminate employees only with just cause, and
- Provide a mechanism for the resolution of workplace disputes that are not regulated by the National Labor Relations Act.

These guidelines apply regardless of whether the commodity is manufactured within or outside of the United States of America.

The City Clerk calculates the hourly non-poverty wage amount annually each March 1<sup>st</sup>. The non-poverty wage table is posted on the Procurement Services page at <http://city.milwaukee.gov> > Directory > Procurement Services (Purchasing) > Forms & Affidavits > Ethical Purchasing Wage Table.

It is your responsibility as a bidder to familiarize yourself with this ordinance prior to submitting your bid. Bidders are also urged to make all subcontractors aware of this ordinance and encourage any and all subcontractors to comply with it as well.

Bidders must submit completed Affidavits of Compliance with the bid to be considered for an award. Updated Affidavits and/or additional information regarding the information provided on the Affidavit may be requested by the Procurement Services Section at any time during the term of the contract. In addition, an updated Affidavit may be requested if the contract is amended.

If contractor is found to be in violation of City of Milwaukee Ordinance 310-17, the contractor may be subject to any of the following sanctions imposed by the City:

- Withholding of payments.
- Termination, suspension or cancellation of the contract in whole or in part.
- After a due process hearing, denial of the right of the contractor to bid on future City contracts, by himself or herself, partner or agent, or by any corporation of which he or she is a member, for a period of one year after the first violation is found and for a period of 3 years after a second violation is found.

After the contract has been awarded, the Affidavit(s) for the awarded contract are posted on the Procurement Services website at: <http://city.milwaukee.gov> > Directory > Procurement Services (Purchasing) > Programs > Apparel Affidavit for Awarded Bids.

**Will you comply with these requirements?**

☐ Yes ☐ No

Failure to agree with this requirement can result in bid rejection.

### **City of Milwaukee-Made, Milwaukee County-Made, or American-Made Goods**

City Ordinance 101572 enacted Section 310-18.9 of the code to create a preference for the city purchase of Milwaukee-made, Milwaukee County-made, and American-made goods for purchases of goods over \$50,000.

Effective June 20, 2014, Contracts shall be awarded to the lowest responsible bidder who submits an affidavit with their bid indicating they meet the requirements of the Ordinance provided the bid does not exceed the lowest bid by more than 12% or \$25,000. Any bidder proposing to supply goods under this Ordinance shall not also receive the benefit of the bid award provided under the Local Business Enterprise program.

- *City of Milwaukee-made Good* - means an article that is manufactured, mined or produced in the City of Milwaukee, and the cost of components made in Milwaukee used in the production of the good exceeds 50% of the total cost of all the components.
- *Milwaukee County-made Good* - means an article that is manufactured, mined or produced in Milwaukee County, and the cost of the components made in Milwaukee County used in the production of the good exceeds 50% of the total cost of all the components.
- *American-made Good* - means an article that is manufactured, mined or produced in the United States, and the cost of domestic components used in the production of the good exceeds 50% of the total cost of all the components.
- *Component* - means an article, material or supply incorporated directly into an end product

If a Milwaukee-made good is not available, the city shall then purchase a Milwaukee county-made good, provided the purchase does not increase the cost by more than 12% or \$25,000. If a Milwaukee-made or Milwaukee county-made good is not available, the city shall then purchase an American-made good, provided the purchase does not increase the cost by more than 12% or \$25,000.

If the multiple groups are being bid, all items in each group must be City of Milwaukee-made or Milwaukee County-made or American-made to qualify.

Bidders awarded contracts will be required to participate in periodic reporting of data on-the “Jobs Created and Retained Report” which will include, but may not be limited to:

- Estimates of the number of jobs created
- Estimates of the number of jobs retained
- Number of employees employed

The notarized “Affidavit of Compliance for City of Milwaukee, Milwaukee County, or American-Made Goods” form must be submitted with your bid. Electronic signatures are acceptable.

The “City of Milwaukee, Milwaukee County, or American-Made Goods” form and the “Jobs Created and Retained Report” can be accessed on the Procurement Services website at: <http://city.milwaukee.gov> > Directory > Procurement Services (Purchasing) > Forms & Affidavits.

NOTE: Any bidder proposing to supply goods under Ordinance 310-18.9 shall not also receive the benefit of the bid award provided under the Local Business Enterprise program in Section 365-7-1.

**Local Business Enterprise Contracting Standards**

Bids that are issued on or after August 10, 2009 include a Local Business Enterprise (LBE) bid incentive in accordance with Chapter 365 of the Milwaukee Code of Ordinances. Please note that the LBE criteria has been revised, effective December 18, 2009. Information regarding the LBE incentive and revised criteria can be found on the Procurement Services website at: <http://city.milwaukee.gov> > Directory > Procurement Services (Purchasing) > Programs > Local Business Enterprise (LBE) Program.

It is your responsibility as a bidder to familiarize yourself with this ordinance prior to submitting your bid.

Local business enterprise means a business which satisfies all of the following criteria:

- A. Owns or leases property within the geographical boundaries of the City of Milwaukee. Post office boxes shall not suffice to establish compliance as a local business enterprise. A residential address may suffice to establish compliance as a Local Business Enterprise, but only if the business does not own or lease other real property, either within or outside the geographical boundaries of the City of Milwaukee. Leased property shall not suffice to establish compliance as a Local Business Enterprise unless at least half of the acreage of all the real property owned or leased by the business is located within the geographical boundaries of the City of Milwaukee.
- B. Has owned or leased real property and has been doing business within the geographical boundaries of the City of Milwaukee for at least one year.
- C. Is not delinquent in the payment of any local taxes, charges or fees, or has entered into an agreement to pay any delinquency and is abiding by the terms of the agreement.
- D. Will perform at least 10% of the monetary value of the work required under the contract.

The notarized Local Business Enterprise Program Affidavit of Compliance must be submitted with your bid to be considered for LBE status. Electronic signatures are acceptable. This affidavit can be found on the same page with the LBE Ordinance at the website referenced above.

**Slavery Disclosure Affidavit**

Effective May 31, 2014, the City of Milwaukee adopted Ordinance 310-14 relative to the disclosure of participation in or profits derived from slavery by contractors. All contractors whose company was established during the slavery era, and awarded a contract on behalf of the City of Milwaukee, whether or not subject to a competitive bid, shall complete an affidavit prior to entering into the contract verifying that the contractor has searched any and all records of the company or any predecessor company regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era. The names of any enslaved persons or slaveholders described in those records must be disclosed in the affidavit.

The City shall make the information contained in the affidavit available to the public. Any contract between the city and a contractor which fails to provide the requisite affidavit or which includes material false information on such affidavit shall be rendered null and void.

**Form W-9**

The City of Milwaukee uses the information from the contractor's Form W-9 for set-up and continued maintenance of tax information. The Form W-9 is a required form to ensure payment can be made and any appropriate reporting performed in the event of a bid award. Please provide a copy of your current W-9 with your bid submission.

Blank copies of the W-9 form are available from the Internal Revenue Service (<http://www.irs.gov>).

**Terms and Conditions**

By signing this bid, bidder hereby agrees to all the terms and conditions of the "City of Milwaukee Invitation, Instructions, Terms and Conditions for Formal Bid & Contract" document dated April 15, 2014, Terms and Conditions for Service Contracts dated April 25, 2014 and Terms and Conditions of This Vendor Contract dated February 1, 2012 which are hereby referenced and incorporated as part of the contract awarded from this bid.

These document can be found on the Procurement Services website at: <http://city.milwaukee.gov> > Directory > Procurement Services (Purchasing) > Policies & Procedures > Terms & Conditions, or you may obtain a copy by calling our office at (414) 286-3501.

Bidders are cautioned not to change any of the terms or conditions in the bid and/or specifications without the written approval of Procurement Services. Any unauthorized changes will constitute a counteroffer and will subject the bid to rejection.

**Payment Terms**

It is the City's policy to pay all invoices within 30 days. If the City does not make payment within 45 days after receipt of properly completed supporting payment and other required contract documentation, the city shall pay simple interest beginning with the 31<sup>st</sup> calendar day at the rate of one percent per month (unless the amount due is subject to a good-faith dispute and, before the 45<sup>th</sup> day of receipt, notice of the dispute is sent to the contractor by first-class mail, personally delivered, or sent in accordance with the notice provisions in the contract). If there are subcontractors, consistent with S.66.0135(3), Wis. Stats., the prime contractor must pay the subcontractors for satisfactory work within seven days of the contractor's receipt of payment from the City of Milwaukee, or seven (7) days from receipt of a properly submitted and approved invoice from the subcontractor, whichever is later. If the contractor fails to make timely payment to a subcontractor, the



contractor shall pay interest at the rate of 12 percent per year, compounded monthly, beginning with the 8<sup>th</sup> calendar day. Reference Common Council File No. 101137 adopted January 2011.

Please indicate if you would like to offer a payment discount to the City:

\_\_\_\_\_ % \_\_\_\_\_ days

The City will determine the low bidder by taking into consideration cash discounts offered by the bidders only if the payment terms are 30 days or more. However, if the low bidder who is awarded this contract has quoted a more favorable discount for earlier payment, and the City pays within that earlier timeframe, the bidder will be held to that quoted discount.

#### **Payment Monitoring Requirements**

All Contractors awarded a contract valued at \$25,000.00 or more are required to participate in training on the City of Milwaukee's contract compliance software. Contractors must complete the training no later than 30 days after the date of contract award. Throughout the contract term, Contractors are required to regularly provide timely payment information in the City's contract compliance software. Please contact the Office of Small Business Development (OSBD) at 414-286-5553 should you have any questions or concerns regarding the training process.

#### **Price Escalations**

This will be a three (3) year contract from date of award with the option to renew for three (3) additional one year periods, subject to annual review by the City within sixty (60) days of the anniversary date. The volume listed is an estimate and is no guarantee as to the amount that will be purchased during the term of the contract. Contract continuance is contingent upon the availability of funding for the materials or services to be provided during the three year term of the contract.

Prices quoted must be firm for one year after which an escalator may be invoked upon request and verification of a letter from the supplier and/or published price sheets. Such request must be made to the purchasing agent listed on the contract at least sixty (60) days in advance of the effective date of the increase. Price shall be based on product cost only and not to exceed 15% of the firm bid price during the contract period. The increase must be approved by Procurement Services prior to its effective date.

Likewise, any de-escalation in price shall be passed on to the City of Milwaukee. Vendors are obligated to treat price decreases as equally as price increases during the tenure of the contract.

Price escalation clauses are not applicable for "discount from list" contracts as the vendor's current list will already reflect market changes. Therefore, while the percent of discount offered by the vendor must remain firm for term of contract, the vendor must provide updated price lists to the City User Department(s) when updated.

#### **Appeal Process**

Bidders should submit a written request to the purchasing agent for interpretation or correction of any ambiguity or inconsistency discovered in the bid, specifications or attachments. Any requests for changes, clarifications, etc., to the bid-related specifications or attachments must be submitted to the Purchasing Agent in writing at least five (5) working days prior to the bid closing date. Requests received after that time will not be considered.

Bidders are cautioned not to change any of the terms or conditions in the bid and/or specifications without the written approval of Procurement Services. Any unauthorized changes will constitute a counteroffer and will subject the bid to rejection.

**Special Interests**

Does any officer, employee, agent, member of a governing body, or public official of the City of Milwaukee who exercises any functions or responsibilities in connection with the reviewing, approving or administering the carrying out of any services or requirements to which this bid pertains, have any personal interest, direct or indirect, in this bid and any contract that may result thereof?

☐ Yes ☐ No

**Cooperative Purchasing**

Would you be willing to extend the pricing from any contract that may result from this bid to other V.A.L.U.E. members of local government entities in the Southeastern Wisconsin area, including but not limited to, the Milwaukee Metropolitan Sewerage District (MMSD) and/or Milwaukee Public Schools (MPS)?

☐ Yes ☐ No

Please be advised that the award of this bid by the City of Milwaukee is not contingent upon your agreement to the above request. If, however, you agree to extend to any other agencies, each agency will be responsible for issuing and administering its own contract and resulting purchase order.

**Tips for Bidders**

Below is a list of common items that may result in the City of Milwaukee deeming your bid to be non-responsive / non-compliant:

- Not fully completing and/or signing the binding signature page
- Not providing the required addendums with your bid
- Not completing or submitting the required attachments (SBE requirements, Affidavits of Compliance, Living Wage Affidavit, etc.) and returning them with the bid
- Bid response not received prior to the bid closing date / time
- Not submitting a quote for all line items or an entire group in the bid. Read the award statement carefully.
- Taking exception to the bid requirements or specification(s) without approval from the Procurement Services Section.
- Not submitting the specification with your bid, when the City requires bidders to indicate whether they comply with specific items in the specification.
- Providing a price list that is different than the pricing information requested.
- Not providing a warranty statement when required, or providing one that conflicts with the City's specifications.
- Not providing descriptive literature when required.
- Submitting pricing information for a brand or part number different than requested when there is "no substitute" indicated.
- Not providing pricing in the correct units of measurement indicated on the bid.
- Not having a service facility within the physical distance indicated in the bid.

### **Binding Signatures for Formal Bid and Contract**

Upon award and acceptance of this bid by the City of Milwaukee, the undersigned bidder, by its authorized persons signing below, agrees that all provisions set forth herein will become binding as a formal contract upon the fulfillment of all conditions precedent set forth herein.

This agreement constitutes the entire agreement between the parties relating to the subject matter of this agreement. All prior understandings, agreements, correspondence and discussions of the parties are merged into and made a part of this agreement.

**This binding signature page must be completed in its entirety, and it must be fully signed, or your bid may be rejected.** Electronic signatures are acceptable. Your signature will signify your agreement to all pricing, terms and conditions stated herein. Bidders are required to complete and return all bid pages with their bid submittal.

If you are a sole proprietorship, please include one signature and indicate "sole proprietorship" for the second signature. Two (2) witness signatures are required.

<b>CONTRACTOR</b>		
R E Q U I R E D	Bidder's Firm:	
	Address:	
	City, State, Zip:	
	Telephone:	
	Fax:	
	E-Mail:	
	Federal ID #	
	Date:	
	Signature:	
	Printed Name:	
	Title:	
	Signature:	
	Printed Name:	
	Title:	
	Witness Signature:	
	Printed Name:	
	Title:	
	Witness Signature:	
Printed Name:		
Title:		

<b>FOR OFFICIAL CITY USE ONLY</b>	
CITY OF MILWAUKEE, a municipal corporation	
By:	City of Milwaukee Purchasing Director
Date:	
Countersigned:	
By:	City Comptroller
Date:	